

## **2005 DRAFTING REQUEST**

### **Bill**

Received: **03/18/2005**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Daniel LeMahieu (608) 266-9175**

By/Representing: **jeff**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters: **dkennedy**

Subject: **Higher Education - UW System  
Health - abortion**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Rep.LeMahieu@legis.state.wi.us**

Carbon copy (CC:) to:

---

### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

Prohibiting the UW from dispensing emergency contraception

---

### **Instructions:**

See Attached

---

### **Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/3	dkennedy	jdyer	pgreensl	_____	lemery	sbasford	State

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/4	mlief 03/29/2005	jdye 03/29/2005	rschluet 03/29/2005	_____			State
/5	mlief 03/29/2005	kfollett 03/29/2005	jfrantze 03/30/2005	_____	sbasford 03/30/2005	sbasford 03/30/2005	State
/6	mlief 04/08/2005 dkennedy 04/11/2005	jdye 04/11/2005	pgreensl 04/12/2005	_____	mbarman 04/12/2005	mbarman 04/12/2005	

FE Sent For:

<END>

→ At Intro.

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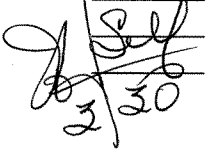
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*Handwritten notes:*  
Under /1: 3  
Under /2: 13 3/22 jld, 3, pr

FE Sent For:

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3/18/05  
OK 3-21-05  
pg 521

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/?	mlief						
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*Handwritten:* 03/18, 06/18, 03/18

FE Sent For:

**<END>**

## Kennedy, Debora

---

**From:** Grothman, Jeffrey  
**Sent:** Friday, March 11, 2005 10:51 AM  
**To:** Kennedy, Debora  
**Subject:** New Legislation



WKOW TV.htm

i Debora. Rep. LeMahieu would like to draft legislation that would prevent not just the University of Wisconsin Madison but all UW-system University Health services centers from prescribing the "Emergency contraception" or morning after pill. The story below should help explain things.

Thanks  
Jeff Grothman  
Office of State Rep. Dan LeMahieu

WKOW TV

*Prohibit dispensing <sup>or advertising</sup> entirely on university campus  
to ~~university students~~ <sup>person</sup> any eligible to receive services*

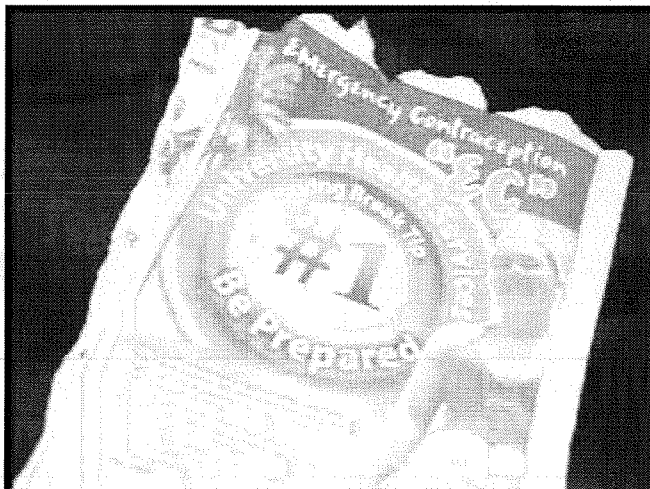
Friday, March 11th, 2005  
10:41 am

| News | Weather | Sports | What's On | Bios | Community Info | \* Charity Auction \* | Links | WKOW History | Home |

## 27 News Headlines

### "Morning After" Pill Marketed to Students

Thu 03-10-2005 , 9:41 pm



It's known as the morning after pill, but UW students are being encouraged to get it days in advance.

With spring break around the corner, University Health Services has taken out ads in campus newspapers urging women to get emergency contraception before going on vacation.

Nurse practitioner Amy Miller is with University Health Services.

She says students on vacation with their peers often let their guard down, and loosen their inhibitions.

So University Health Services has launched one part in a series of ads aimed at spring breakers. "We're just trying to convey a message, don't sun too much, don't drink too much, have safer-have safe sex, use condoms, have emergency contraception on hand," says Miller.

Emergency contraception, or "EC," is a one-time method of birth control, which can be used within 72 hours of unprotected sex. When used properly, Miller says it's effective in preventing pregnancy.

But in the past, emergency contraception has been dispensed after risky behavior has taken place. And critics say providing it in this way promotes a culture of promiscuity.

But Miller says it's difficult to find a health care professional while on vacation. "When you look at spring break people are traveling, they're not going to be accessible to us," she says.

Opponents fear the prescription and the method health professionals are providing it will result in an "EC-as-birth control" mentality. Miller disagrees, "The research that's been shown with emergency contraception demonstrates that women do not use this over and over again."

For now, University Health Services is defending the ad. "It's a cost-effective way to reach a large number of students on campus, and to get our messages across."

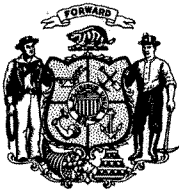
Julaine Appling is with the Family Research Institute of Wisconsin and says, "Distributing emergency contraceptives in this way is a poor use of taxpayer money, and promotes a culture where young people are laying down their inhibitions while thinking there are no consequences. It is the responsibility of an educational system to help young people make wise decisions, not throw them into vulnerable situations, where they're encouraged to make choices that put them at risk physically and emotionally."

---

**Back**

[Read the News Archive](#)





State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2514/1

MLK:jf

2005 BILL

To editing 3/18

Due Monday, 3/21

D-W

Gen

student  
to a registered student  
or to that student's  
spouse or domestic  
partner

- 1 AN ACT ...; relating to: prohibiting the University of Wisconsin System from  
2 dispensing emergency contraception.

*Analysis by the Legislative Reference Bureau*

registered  
This bill prohibits a person employed by or under contract with the Board of Regents of the University of Wisconsin System to provide health care services to students from dispensing an emergency contraception (a drug or device that is approved by the federal Food and Drug Administration and that prevents pregnancy after sexual intercourse).

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

- 3 SECTION 1. 36.11 (49) of the statutes is created to read:  
4 36.11 (49) DISPENSING OF EMERGENCY CONTRACEPTION PROHIBITED. No person  
5 whom the board employs or with whom the board contracts to provide health care  
6 services to students may dispense, as defined in s. 450.01 (7), a drug, medicine, oral  
7 hormonal compound, mixture, preparation, instrument, article, or device that is  
8 approved by the federal food and drug administration and that prevents a pregnancy

to a registered  
student or to that  
student's spouse  
or domestic  
partner

**BILL****SECTION 1**

1 after sexual intercourse. This subsection does not apply to the dispensing of a drug,  
2 medicine, oral hormonal compound, mixture, preparation, instrument, article, or  
3 device of any nature that is prescribed to terminate the pregnancy of a female.

4 (END)

*is - please  
leave*

*D- Note*

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2514/1dn

msl:....kjf

Date

Please note that I did not prohibit the advertising of emergency contraception because of the potential First Amendment issue that such a prohibition might raise and because the practical effect of preventing the dispensing of emergency contraception would be to stop the advertising. I would be happy to discuss this issue further if you have any questions.

Madelon J. Lief  
Senior Legislative Attorney  
Phone: (608) 267-7380

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2514/1dn  
MJL:kjf:jf

March 18, 2005

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Madelon J. Lief  
Senior Legislative Attorney  
Phone: (608) 267-7380

3/18/05

Jeff Grothman

Redraft - 2514/1

Analysis:

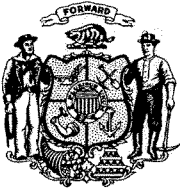
~~DAK~~ ① after "dispensing" - add "prescribing"

~~DAK~~ ③ p. 2, l. 3 - delete "pregnancy" + substitute  
"a fertilized egg from implanting"

~~DAK~~ ③ Delete last sentence

④ Add advertising as a prohibition

⑤ Prohibit Board from allowing an entity  
to <sup>Prescribe or</sup> dispense emergency contraception  
on grounds of <sup>U.W.</sup> ~~offense~~



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2514/2

MJL:kjf

Due 3/21

2005 BILL

\$DAK

D-N

and prohibiting persons from prescribing or dispensing emergency contraception on University of Wisconsin System property

Regen

or from advertising the availability of emergency contraception

advertising the availability of prescribing and

1 AN ACT to create 36.11 (49) of the statutes; relating to: prohibiting the  
2 University of Wisconsin System from dispensing emergency contraception.

Analysis by the Legislative Reference Bureau

This bill prohibits a person employed by or under contract with the Board of Regents of the University of Wisconsin System to provide health care services to registered students from dispensing an emergency contraception (a drug or device that is approved by the federal Food and Drug Administration and that prevents pregnancy after sexual intercourse) to a registered student or to that student's spouse or domestic partner.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 36.11 (49) of the statutes is created to read:

4 36.11 (49) DISPENSING OF EMERGENCY CONTRACEPTION PROHIBITED. No person

5 whom the board employs or with whom the board contracts to provide health care

6 services to students registered in the system may dispense, as defined in s. 450.01

7 to a registered student or to that student's spouse or domestic partner a drug,

implantation of a fertilized egg

advertise the availability of

emergency contraception

transmit a prescription order for, or

ADVERTISING, PRESCRIBING, AND

INSERT 1-4

(b)

FE-S

INSERT ANAL

## BILL

## SECTION 1

1 medicine, oral hormonal compound, mixture, preparation, instrument, article, or  
2 device that is approved by the federal food and drug administration and that  
3 prevents a pregnancy after sexual intercourse. This subsection does not apply to the  
4 dispensing of a drug, medicine, oral hormonal compound, mixture, preparation,  
5 instrument, article, or device of any nature that is prescribed to terminate the  
6 pregnancy of a female.

7

(END)

<sup>(c) addition</sup>  
In addition to the prohibition under par. (a), no  
person may ~~prescribe~~ <sup>or dispense</sup> an  
emergency contraception ~~on~~ <sup>an</sup> system property. <sup>(b)</sup>

D - Note

INSERT 1-4

2. "Emergency contraception" means a drug,  
= hormonal  
medicine, oral hormonal compound, mixture,  
preparation, instrument, article, or device that  
is approved by the federal food and drug  
administration and that prevents a human fertilized  
egg from implanting after sexual intercourse.

~~450.01~~ (a) (intro.) In this subsection:

# 1. "Dispense" has the meaning given in s.

450.01

450.01 (7).

3. "Prescription order" has the meaning  
given in s. 450.01 (21).



## INS ANALYSIS

no ~~if~~ The bill also ~~pro~~ prohibits a person from  
dispensing or prescribing an emergency  
contraception on UWS property. ⊙

Date

MSL:lgf

(D-N)

Jeff:

inclusion

As we discussed today, the inclusion of  
on may invite  
the prohibition on advertising may invite a

challenge to the ~~to~~ bill on First Amendment  
grounds. I have not had time to

MSL

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2514/2dn  
MJL:kjf:ch

March 21, 2005

Jeff:

As we discussed today, the inclusion of the prohibition on advertising may invite a challenge to the bill on First Amendment grounds.

Madelon J. Lief  
Senior Legislative Attorney  
Phone: (608) 267-7380

3/24 TC w/ Jeff G. -

Said that he was aware from my D-N  
that there might be a 1st Amendment issue  
but that he didn't care. ~~Wanted to~~ The  
want the bill to contain advertising  
prohibition.

## TELEPHONE DRAFTING INSTRUCTIONS

Drafting instructions received by Debora Kennedy.

DATE:

3/21/05

CONVERSATION  
WITH:

Kirby Brant

OF:

Pro life Wisconsin

TELEPHONE NO:

(608) 249-0167

REGARDING LRB #  
OR DRAFT TOPIC:

2514/2

INSTRUCTIONS:

① Def of emergency contraception - change

② Add "advertise" to par. (1).

He will send his proposed language by e-mail

## Kennedy, Debora

---

**From:** Kirby Brant [brantford4@charter.net]

**Sent:** Monday, March 21, 2005 4:37 PM

**To:** Kennedy, Debora

**Cc:** Grothman, Jeffrey

**Subject:** Fw: LRB-2514/2

Correction: the Virginia bill passed only the House of Delegates.

-- Kirby

----- Original Message -----

**From:** Kirby Brant

**To:** [debora.kennedy@legis.state.wi.us](mailto:debora.kennedy@legis.state.wi.us)

**Cc:** [jeffrey.grothman@legis.state.wi.us](mailto:jeffrey.grothman@legis.state.wi.us)

**Sent:** Monday, March 21, 2005 4:23 PM

**Subject:** LRB-2514/2

As we discussed, attached in Word form is my suggested edited version of LRB-2514/2 (LRB Analysis omitted). As I mentioned, the definitional language comes from a bill which has passed the Virginia General Assembly, the link to which follows:

<http://leg1.state.va.us/cgi-bin/legp504.exe?1+ful+HB1414H1+pdf>

Thank you.

Kirby Ensign Brant

Attorney at Law

1526 Golf View Road, Unit G

Madison, Wisconsin 53704

Tel. and FAX: 608/249-0167

E-mail: [brantford4@charter.net](mailto:brantford4@charter.net)

LRB-2514/2

**EDITS IN BOLD**

MJL&DAK:kjf:ch

2005 - 2006 LEGISLATURE

2005 BILL

AN ACT to create 36.11 (49) of the statutes; relating to: prohibiting the University of Wisconsin System from advertising the availability of, prescribing, and dispensing emergency contraception and prohibiting persons from prescribing or dispensing emergency contraception on University of Wisconsin System property.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

36.11 (49) ADVERTISING, PRESCRIBING, AND DISPENSING OF EMERGENCY CONTRACEPTION PROHIBITED. (a) (intro.) In this subsection:

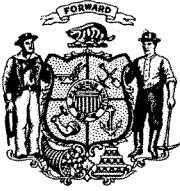
1. "Dispense" has the meaning given in s. 450.01 (7).
2. "Emergency contraception" means **any hormonal medication or combination of medications administered only after intercourse for the post-coital control of fertility.** ~~a drug, medicine, oral hormonal compound, mixture, preparation, instrument, article, or device that is approved by the federal food and drug administration and that prevents a human fertilized egg from implanting after sexual intercourse.~~

3. "Prescription order" has the meaning given in s. 450.01 (21).

(b) No person whom the board employs or with whom the board contracts to provide health care services to students registered in the system may advertise the availability of, transmit a prescription order for, or dispense emergency contraception to a registered student or to that student's spouse or domestic partner.

(c) In addition to the prohibition under par. (b), no person may **advertise**, prescribe or dispense an emergency contraception on system property.

(END)



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2514/23  
MJL&DAK:kjf:ch

2-jld

2005 BILL

TO DAY 3/22

✓

hormonal medication or combination of medications that is administered only after sexual intercourse for the postcoital control of fertility

advertising

Regen

- 1 AN ACT to create 36.11 (49) of the statutes; relating to: prohibiting the  
2 University of Wisconsin System from advertising the availability of,  
3 prescribing, and dispensing emergency contraception and prohibiting persons  
4 from prescribing, or dispensing emergency contraception on University of  
5 Wisconsin System property. ✓

**Analysis by the Legislative Reference Bureau**

This bill prohibits a person employed by or under contract with the Board of Regents of the University of Wisconsin System (UWS) to provide health care services to registered students from dispensing or prescribing an emergency contraception (a drug or device that is approved by the federal Food and Drug Administration and that prevents implantation of a fertilized egg after sexual intercourse) to a registered student or to that student's spouse or domestic partner or from advertising the availability of emergency contraception. The bill also prohibits a person from dispensing or prescribing an emergency contraception on UWS property.

advertising

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**



# BILL

## SECTION 1

**SECTION 1.** 36.11 (49) of the statutes is created to read:

36.11 (49) ADVERTISING, PRESCRIBING, AND DISPENSING OF EMERGENCY CONTRACEPTION PROHIBITED. (a) (intro.) In this subsection: *medication or*

1. “Dispense” has the meaning given in s. 450.01 (7).

2. "Emergency contraception" means a ~~drug, medicine, oral~~ hormonal compound, mixture, preparation, instrument, article, or device that is approved by the federal food and drug administration and that prevents a human fertilized egg from implanting after sexual intercourse. *for the post-coital control*

3. "Prescription order" has the meaning given in s. 450.01 (21).

(b) No person whom the board employs or with whom the board contracts to provide health care services to students registered in the system may advertise the availability of, transmit a prescription order for, or dispense emergency contraception to a registered student or to that student's spouse or domestic partner.

(c) In addition to the prohibition under par. (b), no person may prescribe or dispense an emergency contraception on system property.

**(END)**

**Basford, Sarah**

---

**From:** Grothman, Jeffrey  
**Sent:** Tuesday, March 22, 2005 4:18 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-2514/3 Topic: Prohibiting the UW from dispensing emergency contraception

It has been requested by <Grothman, Jeffrey> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2514/3 Topic: Prohibiting the UW from dispensing emergency contraception



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2514/7  
MJL&DAK:kjf&jld:pg

2005 BILL

TODAY

except for UWS  
property leased  
to the University  
of Wisconsin  
and Clinics  
Authority

Regen

1 AN ACT *to create* 36.11 (49) of the statutes; **relating to:** prohibiting the  
2 University of Wisconsin System from advertising the availability of,  
3 prescribing, and dispensing emergency contraception and prohibiting persons  
4 from advertising, prescribing, or dispensing emergency contraception on  
5 University of Wisconsin System property.

---

***Analysis by the Legislative Reference Bureau***

This bill prohibits a person employed by or under contract with the Board of Regents of the University of Wisconsin System (UWS) to provide health care services to registered students from dispensing or prescribing an emergency contraception (a hormonal medication or combination of medications that is administered only after sexual intercourse for the postcoital control of fertility) to a registered student or to that student's spouse or domestic partner or from advertising the availability of emergency contraception. The bill also prohibits a person from advertising, dispensing, or prescribing an emergency contraception on UWS property.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

## BILL

## SECTION 1

1        **SECTION 1.** 36.11 (49) of the statutes is created to read:

2        **36.11 (49)    ADVERTISING, PRESCRIBING, AND DISPENSING OF EMERGENCY**  
3        **CONTRACEPTION PROHIBITED.** (a) (intro.) In this subsection:

4            1. "Dispense" has the meaning given in s. 450.01 (7).

5            2. "Emergency contraception" means a hormonal medication or combination of  
6        medications that is administered only after sexual intercourse for the postcoital  
7        control of fertility.

8            3. "Prescription order" has the meaning given in s. 450.01 (21).

9            (b) No person whom the board employs or with whom the board contracts to  
10        provide health care services to students registered in the system may advertise the  
11        availability of, transmit a prescription order for, or dispense emergency  
12        contraception to a registered student or to that student's spouse or domestic partner.

13            (c) In addition to the prohibition under par. (b), no person may advertise,  
14        prescribe, or dispense an emergency contraception on system property.

15            (END)

*This paragraph  
does not apply to  
property leased to  
the University of Wisconsin  
Hospitals and Clinics  
Authority under s. 233.04(7).*

TC from Jeff on 3/28 - DAK took  
message. Don't want  
bill to apply to UW H+C.

Σ Verified w/ John Stott that P UWHC  
leases UWS property under S.233.04(7).

## Lief, Madelon

---

**From:** Grothman, Jeffrey  
**Sent:** Tuesday, March 29, 2005 11:31 AM  
**To:** Lief, Madelon  
**Subject:** RE: LRB-2514

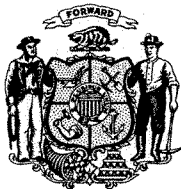
I do not want it redraft right now. We'll leave it as is. As we said if it comes up for discussion after the co-sponsorship period we can amend it, but we will not redraft at this time.

-----Original Message-----

**From:** Lief, Madelon  
**Sent:** Tuesday, March 29, 2005 11:26 AM  
**To:** Grothman, Jeffrey  
**Subject:** LRB-2514

I confirmed with the LFB that the UWHC land is owned by the board of regents, so I will redraft the bill to provide an exception for UWHC. However, we need to get the jacket back from you office.  
Thanks.

Madelon (Lonnie) Lief  
Senior Legislative Attorney  
Legislative Reference Bureau  
608-267-7380  
madelon.lief@legis.state.wi.us



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2514/4  
MJL&DAK:kjf&jld:rs

stays

2005 ASSEMBLY BILL

RM  
run

Due 3/30

Regen

- 1 AN ACT *to create* 36.11 (49) of the statutes; **relating to:** prohibiting the  
2 University of Wisconsin System from advertising the availability of,  
3 prescribing, and dispensing emergency contraception and prohibiting persons  
4 from advertising, prescribing, or dispensing emergency contraception on  
5 University of Wisconsin System property.

---

***Analysis by the Legislative Reference Bureau***

This bill prohibits a person employed by or under contract with the Board of Regents of the University of Wisconsin System (UWS) to provide health care services to registered students from dispensing or prescribing an emergency contraception (a hormonal medication or combination of medications that is administered only after sexual intercourse for the postcoital control of fertility) to a registered student or to that student's spouse or domestic partner or from advertising the availability of emergency contraception. The bill also prohibits a person from advertising, dispensing, or prescribing an emergency contraception on UWS property, ~~except for UWS property leased to the University of Wisconsin Hospitals and Clinics Authority.~~

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

# ASSEMBLY BILL

**SECTION 1.** 36.11 (49) of the statutes is created to read:

### 36.11 (49) ADVERTISING, PRESCRIBING, AND DISPENSING OF EMERGENCY

CONTRACEPTION PROHIBITED. (a) (intro.) In this subsection:

1. “Dispense” has the meaning given in s. 450.01 (7).

2. “Emergency contraception” means a hormonal medication or combination of medications that is administered only after sexual intercourse for the postcoital control of fertility.

3. "Prescription order" has the meaning given in s. 450.01 (21).

(b) No person whom the board employs or with whom the board contracts to provide health care services to students registered in the system may advertise the availability of, transmit a prescription order for, or dispense emergency contraception to a registered student or to that student's spouse or domestic partner.

(c) In addition to the prohibition under par. (b), no person may advertise, prescribe, or dispense an emergency contraception on system property. ~~This paragraph does not apply to property leased to the University of Wisconsin Hospitals and Clinics Authority under s. 233.04(7).~~

**(END)**



4/8/05

2514-

From Jeff -

Has forwarded copy of changes to Bonnie  
Hef - she will forward to me

- ① Changes def. of "emergency contraception"
- ② Generalizes terms "students, spouses + domestic partners"

## Lief, Madelon

---

**From:** Grothman, Jeffrey  
**Sent:** Friday, April 08, 2005 1:36 PM  
**To:** Lief, Madelon  
**Subject:** RE: Final Changes to LRB 2514

Yes

-----Original Message-----

**From:** Lief, Madelon  
**Sent:** Friday, April 08, 2005 1:35 PM  
**To:** Grothman, Jeffrey  
**Subject:** RE: Final Changes to LRB 2514

So, we should make these changes, yes?

-----Original Message-----

**From:** Grothman, Jeffrey  
**Sent:** Friday, April 08, 2005 12:58 PM  
**To:** Lief, Madelon  
**Subject:** Final Changes to LRB 2514

Hi Loni. Here are our final changes to 2514....we hope. The attachment has the language that we want to have in this version of the bill. Please give me a call when you get this. Thanks

Jeff Grothman  
Office of State Rep. Dan LeMahieu

<< File: Anti morning-after pill legis LRB-2514-7 to exempt UW Hosp.doc >>

LRB-2514/7

EDITS IN BOLD

MJL&DAK:kjf:ch

2005 - 2006 LEGISLATURE

2005 BILL

AN ACT to create 36.11 (49) of the statutes; relating to: prohibiting the University of Wisconsin System from advertising the availability of, prescribing, and dispensing ~~emergency contraception a~~ **hormonal medication or combination of medications that is administered only after sexual intercourse for the post-coital control of fertility** and prohibiting persons from advertising, prescribing, or dispensing ~~emergency contraception a~~ **hormonal medication or combination of medications that is administered only after sexual intercourse for the post-coital control of fertility** on University of Wisconsin System property.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

**Section 1.** 36.11 (49) of the statutes is created to read:

36.11 (49) ADVERTISING, PRESCRIBING, AND DISPENSING OF ~~EMERGENCY CONTRACEPTION~~ **A HORMONAL MEDICATION OR COMBINATION OF MEDICATIONS THAT IS ADMINISTERED ONLY AFTER SEXUAL INTERCOURSE FOR THE POST-COITAL CONTROL OF FERTILITY** PROHIBITED. (a) (intro.) In this subsection:

1. "Dispense" has the meaning given in s. 450.01 (7).

2. ~~"Emergency contraception" means a hormonal medication or combination of medications that is administered only after sexual intercourse for the post-coital control of fertility.~~

3. "Prescription order" has the meaning given in s. 450.01 (21).

(b) No person whom the board employs or with whom the board contracts to provide health care services to students registered in the system may advertise the availability of, transmit a prescription order for, or dispense ~~emergency contraception a~~ **hormonal medication or combination of medications that is administered only after sexual intercourse for the post-coital control of fertility** to a registered student or to that student's spouse or domestic partner.

(c) In addition to the prohibition under par. (b), no person may advertise, prescribe or dispense ~~an emergency contraception a~~ **hormonal medication or combination of medications that is administered only after sexual intercourse for the post-coital control of fertility** on system property, **except for land leased under ch. 233.**

(END)

## Kennedy, Debora

---

**From:** Lief, Madelon  
**Sent:** Friday, April 08, 2005 1:39 PM  
**To:** Kennedy, Debora  
**Cc:** Grothman, Jeffrey  
**Subject:** FW: Final Changes to LRB 2514

Debora--Jeff would like us to make these changes to the draft. My change involves the reference to ch. 233 (which, as I explained to Jeff, I will make more precise); I believe the other changes involve your language. They would like this as soon as possible. I will pull the file and do my portion and pass on to you.

-----Original Message-----

**From:** Grothman, Jeffrey  
**Sent:** Friday, April 08, 2005 12:58 PM  
**To:** Lief, Madelon  
**Subject:** Final Changes to LRB 2514

Hi Loni. Here are our final changes to 2514....we hope. The attachment has the language that we want to have in this version of the bill. Please give me a call when you get this. Thanks

Jeff Grothman  
Office of State Rep. Dan LeMahieu



Anti morning-after  
pill legis ...

## Lief, Madelon

---

**From:** Grothman, Jeffrey  
**Sent:** Friday, April 08, 2005 2:27 PM  
**To:** Lief, Madelon  
**Subject:** RE: Changes to LRB-2514

Your assumption is correct I do not want you to strike the language.

-----Original Message-----

**From:** Lief, Madelon  
**Sent:** Friday, April 08, 2005 2:17 PM  
**To:** Grothman, Jeffrey  
**Subject:** Changes to LRB-2514

As we discussed today, it is my understanding that you do NOT want me to strike the language "to a registered student or to that student's spouse or domestic partner." (If a bill were enacted without that language, a doctor who contracts to provide services at the health care center would not be able to prescribe emergency contraception in his or her private practice. ) Please confirm by email that you do not want that language stricken. Thank you.

Madelon (Lonnie) Lief  
Senior Legislative Attorney  
Legislative Reference Bureau  
608-267-7380  
madelon.lief@legis.state.wi.us

**Lief, Madelon**

**From:** Lief, Madelon  
**Sent:** Friday, April 08, 2005 3:48 PM  
**To:** Grothman, Jeffrey  
**Subject:** FW: Changes to LRB-2514

TC w/ Jeff 3:50pm 4/8  
May so w/ this, but  
need time to talk  
w/ others - Hold off on  
submitting. May want  
to meet on Tuesday 4/12

Another option would be to replace "or to that person's spouse or domestic partner" with the words "or any other person entitled to receive university health services." Eau Claire, for example, provides those services only to students, while Madison covers spouses and domestic partners.

-----Original Message-----

**From:** Lief, Madelon  
**Sent:** Friday, April 08, 2005 3:35 PM  
**To:** Grothman, Jeffrey  
**Subject:** RE: Changes to LRB-2514

I suppose one could come up with a term, but that's might not be a term that UWS recognizes and since they use the term domestic partner, I would advise you to stick to that term. Please see the link below to UW health services at Madison.  
[http://www.uhs.wisc.edu/display\\_story.jsp?id=118&cat\\_id=116](http://www.uhs.wisc.edu/display_story.jsp?id=118&cat_id=116)

-----Original Message-----

**From:** Grothman, Jeffrey  
**Sent:** Friday, April 08, 2005 3:27 PM  
**To:** Lief, Madelon  
**Subject:** RE: Changes to LRB-2514

Is there any way we can take the words domestic partner and develop a new word that means (boyfriend/girlfriend)?

-----Original Message-----

**From:** Lief, Madelon  
**Sent:** Friday, April 08, 2005 2:55 PM  
**To:** Grothman, Jeffrey  
**Subject:** RE: Changes to LRB-2514

Other than the reason articulated below, the reason to include the language about spouses and domestic partners is that at least at UW-Madison, spouses and domestic partners of registered students are entitled to seek health care services at the centers. If, for example, a man and woman are an unmarried couple and the man is the student, without the language about domestic partners, his domestic partner could get a prescription for emergency contraception. If we left out the word "spouse," a similar problem would occur with a married couple, only one of whom is a student.

I would prefer that you forward this message so that there is no issue of breach of confidentiality.

-----Original Message-----

**From:** Grothman, Jeffrey  
**Sent:** Friday, April 08, 2005 2:44 PM  
**To:** Lief, Madelon  
**Subject:** RE: Changes to LRB-2514

Hi Loni. I know this may be a big thing to ask but is it possible to send your reasoning of keeping the registered student language that we just kept over to Rep. Gundrum's office. I'm trying to explain this to his staff and they're gonna try and explain it to him, but perhaps if he has your opinion by e-mail of why we want to keep this as it will keep the scope of the bill the way we want it, it would help. Thanks

-----Original Message-----

**From:** Lief, Madelon  
**Sent:** Friday, April 08, 2005 2:17 PM  
**To:** Grothman, Jeffrey  
**Subject:** Changes to LRB-2514

As we discussed today, it is my understanding that you do NOT want me to strike the language "to a registered student or to that student's spouse or domestic partner." (If a bill were enacted without that

language, a doctor who contracts to provide services at the health care center would not be able to prescribe emergency contraception in his or her private practice. ) Please confirm by email that you do not want that language stricken. Thank you.

Madelon (Lonnie) Lief  
Senior Legislative Attorney  
Legislative Reference Bureau  
608-267-7380  
madelon.lief@legis.state.wi.us

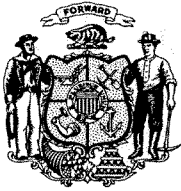
Tc w/ Jeff

Apr 11

Replace ~~person~~ spouse or domestic partner"  
9:20 AM / registered + "with any other person entitled  
student to receive any health services"

Due Tomorrow by 10 AM





TUES. 10:00 a.m.  
State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-2514/5  
MJL&DAK:kjf&jld:ff

D-NOTE

## 2005 ASSEMBLY BILL

RM run

Regen

✓  
certain hormonal  
medication or a  
combination of  
medications

✓  
except for the property leased  
to the University of Wisconsin  
Hospitals and Clinics  
Authority

- 1 AN ACT to create 36.11 (49) of the statutes; relating to: prohibiting the  
2 University of Wisconsin System from advertising the availability of,  
3 prescribing, and dispensing emergency contraception and prohibiting persons  
4 from advertising, prescribing, or dispensing emergency contraception on  
5 University of Wisconsin System property.

✓  
the medication or  
combination of medications

✓  
the hormonal  
medication or  
combination  
of  
medications

### Analysis by the Legislative Reference Bureau

This bill prohibits a person employed by or under contract with the Board of Regents of the University of Wisconsin System (UWS) to provide health care services to registered students from dispensing or prescribing an emergency contraception (a hormonal medication or combination of medications that is administered only after sexual intercourse for the postcoital control of fertility) to a registered student or to that student's spouse or domestic partner or from advertising the availability of emergency contraception. The bill also prohibits a person from advertising, dispensing, or prescribing an emergency contraception on UWS property.

plain

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

**The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:**

any other person entitled  
to receive university health care services

## ASSEMBLY BILL

## SECTION 1

## CERTAIN HORMONAL MEDICATION

SECTION 1. 36.11 (49) of the statutes is created to read:

36.11 (49) ADVERTISING, PRESCRIBING, AND DISPENSING OF ~~EMERGENCY CONTRACEPTION~~ PROHIBITED. (a) (intro.) In this subsection:

1. "Dispense" has the meaning given in s. 450.01 (7).

~~"Emergency contraception"~~ means a hormonal medication or combination of medications that is administered only after sexual intercourse for the postcoital control of fertility.

2. "Prescription order" has the meaning given in s. 450.01 (21).

(b) No person whom the board employs or with whom the board contracts to provide health care services to students registered in the system may advertise the availability of, transmit a prescription order for, or dispense ~~emergency contraception~~ to a registered student or to that student's spouse or domestic partner.

(c) In addition to the prohibition under par. (b), no person may advertise, prescribe, or dispense ~~an emergency contraception~~ on system property, <sup>comma</sup> except ~~if~~

(END)

for property leased under  
S. 233.04(7).

any other person  
entitled to receive  
university health care  
services.

D-NOTE

To Representative LeMahieu:

We are required to keep statutory titles brief; therefore, I have abbreviated the language you most recently proposed for the title of s. 36.11 (49)✓. Please note that under s. 990.001,✓ stats., titles of subchapters, sections, subsections, paragraphs, and subdivisions of the statutes are not part of the law; thus, the brevity of the title does not affect the textual language.✓

DAK

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2514/6dn  
DAK:jld:pg

April 11, 2005

Representative LeMahieu:

We are required to keep statutory titles brief; therefore, I have abbreviated the language you most recently proposed for the title of s. 36.11 (49). Please note that, under s. 990.001, stats., titles of subchapters, sections, subsections, paragraphs, and subdivisions of the statutes are not part of the law; thus, the brevity of the title does not affect the textual language.

Debora A. Kennedy  
Managing Attorney  
Phone: (608) 266-0137  
E-mail: debora.kennedy@legis.state.wi.us